

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY ROSIER WILSON,

Petitioner,

vs.

ANTHONY HEDGPETH, Warden, Salinas Valley
State Prison

Respondent.

Case No.: C-11-06479 YGR

**ORDER GRANTING *IN FORMA PAUPERIS*
STATUS AND DIRECTING RESPONDENT TO
SHOW CAUSE WHY THE PETITION SHOULD
NOT BE GRANTED**

Petitioner, a state prisoner, has filed this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. He also seeks leave to proceed *in forma pauperis*. It does not appear from the face of the Petition that it is without merit. Good cause appearing, the Court hereby issues the following orders:

1. Petitioner's Application to Proceed *in Forma Pauperis* is **GRANTED**.
2. The Clerk of the Court shall serve a copy of the Petition and all attachments thereto (Dkt. Nos. 1 & 2) and a copy of this Order upon Respondent and Respondent's attorney, the Attorney General of the State of California.
3. Respondent shall file with this Court and serve upon Petitioner's attorney, within one-hundred twenty (120) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the Petition.

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4. If Petitioner wishes to reply to the Answer, he shall do so by filing a Traverse with the Court and serving it on Respondent within sixty (60) days of his receipt of the Answer. Should Petitioner fail to do so, the Petition will be deemed submitted and ready for decision sixty (60) days after the date Petitioner is served with Respondent's Answer.

5. Respondent may file with this Court and serve upon Petitioner, within one-hundred twenty (120) days of the issuance of this Order, a motion to dismiss on procedural grounds in lieu of an Answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases. If Respondent files such a motion, Petitioner shall file with the Court and serve on Respondent an opposition or statement of non-opposition to the motion within sixty (60) days of receipt of the motion, and Respondent shall file with the Court and serve on Petitioner a reply within fifteen (15) days of receipt of any opposition.

6. Extensions of time are not favored, though reasonable extensions will be granted. Any motion for an extension of time must be filed no later than ten (10) days prior to the deadline sought to be extended.

This Order Terminates Docket Number 3.

IT IS SO ORDERED.

Dated: April 26, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE